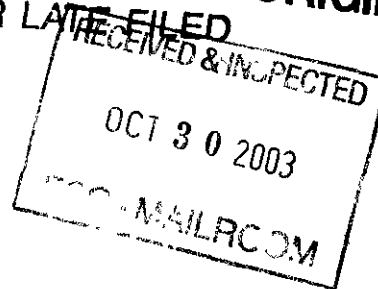


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Sept 24, 2003

Marlene Dortch, Secretary
Federal Communications Commission
445 Twelfth St. SW, Room TW A-325
Washington DC 20554

Re: Ex Parte Notice -- WT Docket 02-55
Improving Public Safety Communications in the 800 MHz Band

Secretary Dortch:

I commend the FCC for addressing interference in the 800 megahertz (MHz) band that some public safety agencies have encountered. Please allow me a moment to voice my concern about the Consensus Parties plan of band reconfiguration

This plan would provide additional bandwidth to public safety communications while requiring large-scale relocation at great expense, regardless of reimbursement, and much time and unnecessary effort. In my opinion, this is a blanket approach to a problem that calls for a more targeted solution.

Public safety interference has occurred largely in densely populated urban areas. This is where the solution should be applied through effective notification, prevention, communication, cooperation and mitigation among licensees. These measures would be supplemented by utilizing technology, private industry assistance and accepted best practices. Basically, operators and licensees who cause interference should be held responsible for fixing the problems they create. This is the fair and equitable approach as opposed to the broad-brush proposal by the Consensus Parties

Additionally, the Consensus Parties plan would freeze all requests of non-public safety users, such as public utilities, to seek additional bandwidth. This restriction would make it impossible for utility companies to expand their radio systems to fill in coverage gaps. In rural areas where gaps exist, a freeze would impair the ability of electric utilities, in particular, to communicate effectively during emergency situations like storm-related outages. In my part of the world, both rural and mountainous, this is a critical issue. Electric utilities are commonly first responders. As such, public services agencies work hand in hand with electric utilities during emergencies and coordinate with them to secure and clear unsafe conditions due to downed power lines. Public safety agencies frequently share tower sites with electric utilities. This is a healthy partnership that should not be jeopardized.

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As a retired operations manager of American Electric Power and now as mayor of the City of Logan, WV, I know first-hand of the need for a strong radio communications system and infrastructure. I also know of the importance of the partnership between public safety agencies and utilities. And, again, I know this from first-hand experience and urge that it not be placed in jeopardy by the adoption of the Consensus Parties plan. Whatever rules the FCC adopts, any impairment of utility communications systems is likely to have a direct effect on public service agencies.

Thank you for the opportunity to share my thoughts and concerns on this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Ruloff", written in a cursive style.

Honorable Harry Ruloff
Mayor